

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

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**SHANNON STURGIS,**

**Plaintiff,**

**VS.**

**ANDREW SAUL,  
COMMISSIONER OF SOCIAL  
SECURITY,**

**Defendant.**

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**NO. 3:20-CV-00273-RJC-DSC**

**ORDER**

**THIS MATTER** is before the Court on Plaintiff's Consent Motion for Fees Pursuant to the Equal Access to Justice Act 28 U.S.C. § 2412(d)(1)(A) ("EAJA") and Costs filed on July 8, 2021. Having reviewed the Motion, supporting materials, memorandum in support, and the case file the Court determines that Plaintiff should be awarded attorney's fees under the EAJA in the amount of \$7,000.00.

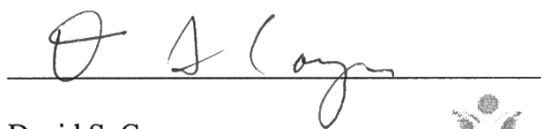
**IT IS ORDERED** that the Plaintiff's Motion is **GRANTED**, to the extent that the Court will award attorney's fees in the amount of \$7,000.00, and that pursuant to Comm'r of Soc. Sec. v. Ratliff, 130 S. Ct. 2521 (2010), the fee award will first be subject to offset of any debt Plaintiff may owe to the United States. The

Commissioner will determine whether Plaintiff owes a debt to the United States. If so, the debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff's counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe a federal debt, the Government will exercise its discretion and honor an assignment of EAJA fees and pay the awarded fees directly to Plaintiff's counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

**IT IS FURTHER ORDERED** that Plaintiff shall be paid \$421.15 in costs from the Judgment Fund by the United States Department of the Treasury pursuant to 28 U.S.C. § 2412(a)(1).

**SO ORDERED.**

Signed: July 9, 2021

A handwritten signature in black ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer  
United States Magistrate Judge

